

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Commerce, Labor and Economic Development** recommends **HB 2088** be amended on page 1, in line 20, by striking the colon; in line 21, by striking "(1)"; in line 24, by striking the comma and inserting "or"; also in line 24, by striking "or industrial"; in line 25, by striking all after "authority"; in line 26, by striking "(2)" and inserting ". "Application" does not include"; in line 27, by striking all after "appeals"; by striking all in lines 28 through 30; in line 31, by striking "thereto";

On page 2, in line 10, after "(1)" by inserting "(A) Except as provided by subparagraph (B),"; following line 20, by inserting:

"(B) The requirement that the local government approve or deny an application and provide written notice of such decision to the applicant within 60 days of receipt of a complete application pursuant to the provisions of subsections (a) and (b) shall not apply if an applicant agrees in writing to proceed with phased permitting.";

On page 3, in line 16, by striking "notice or application is"; in line 17, after "(1)" by inserting "Notice is"; also in line 17, after "mail" by inserting "by the local government"; in line 18, by striking "or local government"; in line 20, after "(2)" by inserting "application of the applicant is received in the United States mail by the local government;

(3) notice or application is";

Also on page 3, in line 24, before "faxed" by inserting "notice or application is"; in line 26, before "submitted" by inserting "notice or application is";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 3, following line 36, by inserting:

"New Sec. 4. Within 45 days of the submittal by an applicant to the department of health and environment of a complete notice of intent to discharge stormwater runoff from construction activities requesting authorization to discharge stormwater runoff from construction activities under the federal national pollutant discharge elimination system general permit or a rainfall erosivity waiver application and including all supporting documentation pursuant to applicable federal or state law, the secretary of health and environment shall issue an authorization, waiver or denial, as determined by the secretary, to the applicant. The provisions of this section shall not be construed to supersede conflicting federal law.";

On page 5, by striking all in lines 29 through 43;

By striking all on pages 6 and 7;

On page 8, by striking all in lines 1 through 4; in line 5, by striking "and 12-759 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "requiring the secretary of health and environment to issue a decision within 45 days on an application for an authorization to discharge stormwater runoff from construction activities under the federal national pollutant discharge elimination system general permit or a rainfall erosivity waiver;"; in line 4, by striking "and 12-759"; in line 5, by striking "sections" and inserting "section"; and the bill be passed as amended.

Chairperson